

## **REMARKS**

Reconsideration of this application as amended is respectfully requested. In the Office Action claims 1-20 are pending. Claims 8-14 are rejected. By way of the present response Applicant has: 1) amended claims 1 and 8-14; 2) added no claims; and 3) canceled no claims. As such, claims 1-20 remain pending.

### **I. Allowable Subject Matter**

The applicant notes and appreciates that the Examiner has indicated claims 1-7 and 15-20 are allowed. Applicants respectfully request reconsideration of the present application and the allowance of all claims now presented.

### **II. Claim Objections**

The Office Action has objected to claims 1 and 8 because of the following informalities: both claims 1 and 8 recited a step of “examining” but do not state an object from the claims that are being examined. Applicant has amended the claims and respectfully requests reconsideration and withdrawal of the claim objections.

### **III. Claim Rejections 35 U.S.C. § 101**

The Office Action has rejected claims 8-14 under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. Applicant has amended the claims and the specification and respectfully requests reconsideration and withdrawal of the claim rejections. Specifically, applicant has amended the specification to indicate that carrier waves, infrared signal, etcetera, are machine-readable transmission media as opposed to machine-readable storage media. Applicant is claiming only the machine-readable storage media with claims 8-14, which necessarily excludes machine-readable transmission media such as carrier waves, infrared signals, and etcetera. Accordingly, reconsideration and withdrawal of the claim rejections are respectfully requested.

## **CONCLUSION**

Applicant respectfully submits that all rejections have been overcome by applicant's amendments and remarks and that all pending claims are in condition for allowance. Accordingly, reconsideration and withdrawal of the claim rejections is respectfully requested.

### Invitation for a telephone interview

If a telephone conference would facilitate the prosecution of this application, Examiner is invited to contact Matt Hindman at (408) 720-8300. If there are any additional charges, please charge them to our Deposit Account Number 02-2666.

Respectfully Submitted,  
**BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP**

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